

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

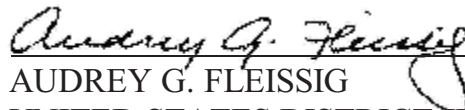
M.R., as next friend of C.R.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:12CV00632 AGF
	)	
TWIN CITY FIRE INSURANCE CO.,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on Defendant's motion to strike Plaintiff's request for punitive damages. While Plaintiff C.R. may be entitled to statutory damages under Missouri Revised Statutes §§ 375.296 and 375.420, on his claim for vexatious refusal to pay, he is not entitled to "punitive" damages on that claim. The versions of these statutory sections quoted in Plaintiff's memorandum in response to the motion to strike, which contain the term "punitive damages," are not the current versions.

Accordingly,

**IT IS HEREBY ORDERED** that Defendant's motion to strike Plaintiff's reference to "punitive" damages is **GRANTED** without prejudice to Plaintiff's right to recover statutory damages. (Doc. No. 20).

  
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AUDREY G. FLEISSIG  
UNITED STATES DISTRICT JUDGE

Dated this 4th day of October, 2012.